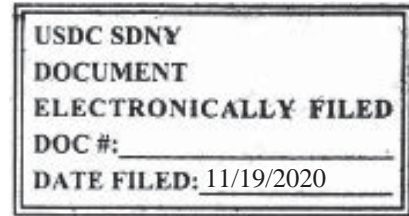


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



United States of America,

—v—

Michael Stern,

Defendant.

20-cr-465 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

Sentencing in this matter is currently scheduled for November 30, 2020 at 2:00 P.M. Dkt. No. 7. In light of the COVID public health crisis, there are significant safety issues related to in-court proceedings. If the Defendant is willing to waive his physical presence, this sentencing will be conducted remotely. To that end, defense counsel should confer with the Defendant regarding waiving his physical presence and provide the attached waiver form to him. If Mr. Stern, after reviewing the form and being advised of its contents, wishes to waive his right to be physically present, he and his counsel should return the signed waiver form no later than **24 hours before the proceeding**. If Mr. Stern agrees to proceed remotely, defense counsel shall indicate to the Court whether videoconference is reasonably available. The parties are advised to review this Court's Individual Practices in Criminal Cases.

SO ORDERED.

Dated: November 19, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan".

ALISON J. NATHAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

MICHAEL STERN,
Defendant.

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

20-CR-465 (AJN)

Check Proceedings that Apply

_____ Sentencing

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date:

Print Name

Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date:

Print Name

Signature of Defense Counsel

Accepted:

Signature of Judge

Date: